

AFFIDAVIT

I, Gerald Scott Roye, being duly sworn and deposed, state the following:

INTRODUCTION

1. I am a Special Agent with United States Immigration and Customs Enforcement ("ICE"), and have been so employed since May of 2005. I am assigned to the Cyber-Crimes/Fraud Investigations Group where I have worked on a number of investigations relating to the possession, receipt, and distribution of child pornography. As part of my basic agent training, I have received specialized instruction in the area of child pornography investigations.
2. In connection with my official duties, I investigate criminal violations of federal statutes, including violations of Title 18, United States Code, Section 2252(a)(2) (receipt of child pornography) and 2252(a)(4)(B) (possession of child pornography).
3. As a result of my participation in this investigation, receiving information from other law enforcement officials, and analyzing documents and records, I am familiar with the circumstances surrounding the facts detailed in this affidavit.
4. The information contained in this affidavit is not, however, an exhaustive account of everything I know about this case. It, rather, only contains the facts that I believe are necessary to establish probable cause to believe that JACOB C. WIEBELT violated Title 18, United States Code, Section 2252(a)(2) and Title 18, United States Code, Section 2252A(a)(4)(B) .

PROBABLE CAUSE

5. Beginning at a time unknown, in the Eastern District of Louisiana, JACOB C. WIEBELT, DOB 2/10/1983, a 25 year-old male, the defendant herein, did knowingly receive and attempt to receive visual depictions involving the use of a minor engaging in sexually explicit conduct, and that the visual depictions were of such conduct, and that the visual depictions had been mailed,

shipped, or transported in interstate or foreign commerce, or which contains materials which had been mailed or so shipped or transported, by any means including by computer, for which a person can be charged with a criminal offense in violation of Title 18, United States Code, Section 2252(a)(2).

6. ICE received a lead from an ongoing ICE initiative that JACOB C. WIEBELT had allegedly used his credit card/debit card to subscribe to a website known to ICE to exclusively provide images of child for a fee. On or about January 20, 2009, ICE Special Agent Scott Royce and Senior Special Agent Eric Delaune conducted a consensual interview with JACOB C. WIEBELT at his place of residence 1553 Highway 190 East Apt. #3 Hammond, Louisiana 70401. At approximately 1040 hours ICE Special Agent Scott Royce informed WIEBELT of his rights per the Miranda warning, and received a verbal and written waiver of rights from WIEBELT. Shortly thereafter, WIEBELT signed a consent form to allow an ICE Computer Forensics Agent (CFA) to search his computer and he signed an additional consent form allowing the search his residence.

7. When WIEBELT was questioned by Special Agent Royce as to his involvement with child pornography, WIEBELT admitted to having viewed and downloaded images of child pornography. WIEBELT further stated that he currently has images of child pornography stored on his computer. WIEBELT then directed Senior Special Agent Delaune to additional images of child pornography that he stated were stored on compact disk in his bedroom.

8. ICE CFA Barry Wood conducted an on-sight preview of the compact disk that WIEBELT stated contained images of child pornography. CFA WOOD observed multiple images of what he believed to be child pornography. One such image viewed was from the Baby J Series a series of child pornography known to law enforcement officers, depicts a prepubescent female being

vaginally penetrated by an adult male penis. CFA Wood also viewed an image from the Vicky Series another series of child pornography known to law enforcement officers, that depicts a prepubescent female performing oral sex on an adult male. After additional questioning, WIEBELT admitted that he had even more images of child pornography stored on the drive of his X-Box 360 computer gaming system.

9. During questioning, WIEBELT admitted to subscribing to multiple websites that offered images of child pornography for a fee and to downloading images of child pornography utilizing the popular computer file sharing program Limewire. WIEBELT stated that he would use the search term “PTHC” when searching for images of child pornography online. When questioned about the meaning of PTHC, WIEBELT stated that the “HC” stood for “Hard Core” and he believed that the “PT” part stood for “Pre-Teen”. Based on the training and experience of the undersigned affiant, “PTHC” is a known search term that stands for Pre-Teen Hard Core and commonly used by child pornographers seeking visual depictions of child exploitation.

10. Subsequent to the consensual search of WIEBELT’S residence, ICE Special Agents discovered a notebook containing a short story that WIEBELT admitted to writing. The story detailed an encounter with a nine year old girl performing oral sex on him. WIEBELT stated that the story was pure fantasy, and that he has never sexually abused a child. ICE Special Agents also discovered multiple documents that contained the names and ages of multiple underage females that WIEBELT admitted to chatting online with.

11. The undersigned agent requested that WIEBELT voluntarily provide ICE with a written statement detailing his involvement with child pornography. WIEBELT agreed and provided a signed written statement detailing how and why he became involved in viewing images of child pornography. In the statement, WIEBELT admits to being a collector of child pornography and

addresses the fact that he has subscribed to and downloaded from multiple websites that provide images of child pornography for a fee.

12. Based upon the above information, JACOB C. WIEBELT did knowingly receive and attempt to receive visual depictions involving the use of a minor engaging in sexually explicit conduct, and that the visual depictions were of such conduct, and that the visual depictions had been mailed, shipped, or transported in interstate or foreign commerce, or which contains materials which had been mailed or so shipped or transported, by any means including by computer, for which a person can be charged with a criminal offense in violation of Title 18, United States Code, Section 2252(a)(2).

GERALD SCOTT ROYE
Special Agent
U. S. Department of Homeland Security
Bureau of Immigration and Customs Enforcement

Sworn to and subscribed before me
on this 21st day of January, 2009.

LOUIS MOORE
UNITED STATES MAGISTRATE JUDGE